

# State of South Dakota

## SEVENTY-NINTH SESSION LEGISLATIVE ASSEMBLY, 2004

119J0106

### HOUSE BILL NO. 1172

Introduced by: Representatives Smidt, Adelstein, Cradduck, Glenski, Konold, Rounds, Sebert, Van Gerpen, Wick, and Williamson and Senators Brown, Bogue, Dennert, Diedrich (Larry), Duniphan, Jaspers, and Kleven

1 FOR AN ACT ENTITLED, An Act to expand eligibility for veterans benefits and children of  
2 veterans.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 33-17-2 be amended to read as follows:

5 33-17-2. As used in § 33-17-1, the term, qualifying military service, means:

- 6 (1) Active duty in the armed forces of the United States for one day or more during the  
7 period from April 6, 1917, to November 11, 1918, inclusive;
- 8 (2) Active duty for one day or more during the period from July 28, 1914, to  
9 November 11, 1918, inclusive, performed by a citizen of the United States in the  
10 armed forces of any nation that was allied with the United States during any part of  
11 the period from April 6, 1917, to November 11, 1918, inclusive;
- 12 (3) Active duty in the armed forces of the United States for one day or more during the  
13 period from December 7, 1941, to December 31, 1946, inclusive;
- 14 (4) Active duty for one day or more during the period from September 1, 1939, to  
15 December 31, 1946, inclusive, performed by a citizen of the United States in the



armed forces of any nation that was allied with the United States during any part of the period from December 7, 1941, to December 31, 1946, inclusive;

(5) Active duty in the armed forces of the United States for one day or more during the period from June 25, 1950, to May 7, 1975, inclusive;

(6) Active duty in the armed forces of the United States for one day or more during the period from August 2, 1990, to December 31, ~~2002~~ 2003, inclusive;

(7) Active duty in the armed forces of the United States for one day or more in a military action for which the veteran earned an armed forces expeditionary medal, southwest Asia service medal or other United States campaign or service medal awarded for participation outside the boundaries of the United States in combat operations against hostile forces; or

(8) Active duty in the armed forces of the United States for one day or more if the veteran has established the existence of a service-connected disability.

Service on active duty by any reserve or national guard personnel for training may not be construed as service on active duty, unless the veterans' commission determines, by rules promulgated pursuant to chapter 1-26, that such training involved the person in direct participation in or direct support of combat operations against a hostile force.